Sectt. H-27—45,006—19-10-39.

~~P.W.D.~~ (1940) Department.

MUS. SERIES.

G.O. No. 1161 P.W.

Dated 20-3-1940

[Despatch Abstract.]

Town Planning - Mangalore Municipality - Gulika Hithlu area Town - Planning Scheme - Betterment contribution - Waiver of levy for three years - Not objected to

C.F. 20.

DEPARTMENT.

Received ... 19 . Registered ... 19

8-JAN 1940

Subject. 921

TOWN PLANNING - Mangalore Municipality - Guliga Hithlu Town Planning Scheme - Betterment Contribution - Waiving - Sanction - Requested.

Noted & Sanctioned This office letter 10392/D2/38 dated 21.11.1939.

======

Enclosures.
No. ...
Spare copies

Ref.C No.10392/D2/38.

Station Mangalore, *Dated the* 3rd January 19 40.

From (Name) Sri M. Narayana Shenoy, B.A.,B.L.,

(Designation) Commissioner Mangalore Municipality, Mangalore.

To The Secretary to the Government of Madras,

EDUCATION & PUBLIC HEALTH Department.
FORT ST. GEORGE, MADRAS.

THROUGH:

Sir,

The Chairman,
Municipal Council, Mangalore.

I request that Government may be pleased to pass early orders on the reference noted above.

Commissioner, M.M.

Forwarded. dtd 5/1/40

B Venkataraya Baliga.
Chairman, M.C.

PST.5.1p

cd/

Edn. W.H

C.No. 921/40 From the Commr., Mangalore Mty., Ref C.No. 10398/Da/38, dt 9.1.194

13/12/2

Town Planning — Mangalore Mty.
Guliga Hithlu Town Planning Scheme
Betterment Contribution — Waiving.

Memo:- 921/40 — 1 F (P.H) dt 10/2/40

The Commr., Mangalore Mty is requested to submit a copy of his letter Ref C. No. 10398/Da/38, dated 21. 11. 1939 on the subject referred to above, as the original said to have been sent to the Govt. has not been received.

27/2/40.

SPH
10/2/40.

To

The Commr., Mangalore Mty.

Thro the DC

12/2/40

G.O.No.6279

DEPARTMENT

C.F. 30.

Received ..... 19 . Registered 19

Subject.

Town Planning - Mangalore Municipal Council Guliga Hithlu Town Planning Scheme - Betterment contribution - Waiving Sanction - Requested.

****

ENCLOSURES.
No. .....
.....
Spare copies .....

Ref:C No. 10392/D2-38,

Station Mangalore, , *Dated the* 21st November 1939

From (Name) Sri M. Narayana Shenoy, B.A.,B.L.,
(Designation) Commissioner, Mangalore Municipality, Mangalore.

To The Secretary to the Government of Madras,
Through
The Chairman, Municipal Council,
Mangalore & the Director of
Town Planning, Madras.

Education & Public Healt
Department.
Fort St.George,
Madras.

Sir,

As provided under Clause 14 of the Guliga Hithlu Town Planning Scheme sanctioned in G.O.No.2023 P.H., dated the 11th September 1933 read with Rule 59 of the Madras Town Planning Rules betterment was claimed with effect from 1st April 1937 from the owners of properties which were held by the Arbitrator as liable to pay betterment contribution. Almost all the parties on whom notices were served submitted revision petitions requesting not to levy betterment for various reasons.

The parties

The parties argued their case also before me. I found that the case of some of the parties was really hard as they could not be allowed to take advantage of the improvements in the scheme areas as license had to be refused for some buildings as there was a proposal to acquire their sites also. This proposal of further acquisition, it is hoped, will be complete by the end of this year. Besides this, the execution of the scheme is not over and the roads have not been formed properly on account of the further acquisition. In the result I was satisfied that the levy of betterment contribution would be a great hardship and recommended to the Council under rule 60 of the Town Planning Rules to remove from the register all the properties which were held liable to Betterment contribution. My note to the council on the subject the resolution of the Town Planning Committee, Council Resolution Nos.38 dated the 9th October 1939 and 47 dated the 30th October 1939 are enclosed. It is proposed to levy the Betterment Contribution from 1940-41 by which time the execution of the scheme is expected to be complete.

(IV) pp 5-8 supra p. 11 infra pp 10 & 12 infra

In G.O.No.3172, P.H., dated the 22nd November 1937, Government, on a reference from the Salem Municipal Council have held that the Council can waive the recovery of the Betterment contribution. But as this is a case wherein the property held liable to Betterment contribution are to be removed from the register only as far as only 3 years are concerned, I request that Government may be pleased to approve the proposal.

(W)

Commissioner, M.M.

Forwarded:

Dated: Chairman, M.C.

Compd/ 22.11.

HDU/22/11/39

5

Commissioner's Note.

Town Planning -- Guliga Hithlu Scheme - Levy of Betterment Contribution.

*****

The Arbitrator appointed by the Government for the Guliga Hithlu Town Planning Scheme, in his proceedings R. Dis.3569/34, dated the 25th October 1937, declared that certain properties were liable for betterment contribution. Accordingly notices were issued by my predecessor in office to the owners of these properties which were liable to pay the betterment contribution asking them to present objections if any for the levy of betterment contribution. Of the parties to whom notices were sent only one paid the amount demanded Viz Rs 16-8-0 without filing any objections or protests thereto. Another party has expressed his willingness to pay the amount demanded in easy instalments. The rest of the parties appeared before me either personally or through their legal representatives and pleaded their case.

At the out-set I intend dividing the properties held liable to betterment contribution into two categories. Those properties or lands which the council has decided to acquire for the location of a central bus stand with a taxi and hackney carriage stand attached to it can be brought under the first category. These properties though liable to pay betterment contribution and have actually bettered in the sense that the slums have been cleared and the sanitary conditions of the surroundings improved to a considerable extent, it is doubtful whether they are able to take the fullest advantage of the improved conditions. One of the petitioners puts that "If this claim of the Municipality is pushed to its logical consequences one can easily realise that the claim becomes absurd"

As a test case, as it were, I refer here to Mrs.Nagu Hengsu's application for the construction of four buildings in her plots T.S.Nos.4/1A and 4/1C for which licenses were refused by the Council on the recommendation of the Town Planning Committee. If the owners of the other properties included in this category are also to apply for licenses, I consider that similar order will have to be passed. The owners are not able to make improvements requiring license to the property.

With regard to the remaining properties coming under the second category I may point out that they are not as yet deriving the fullest advantage of the scheme. In holding these plots as liable for betterment the Arbitrator observes that "The more important advantage or benefit that they derive from the present scheme is that these plots will be more sanitary than before, firstly because the filthy and insanitary area staring them in the face has been removed and tidied up" In this connexion it is an admitted fact that the worst insanitation was in T.S.No.4/1 portions of which are still to be acquired Viz.4/1A and 4/1C. The buildings that are now in these plots cannot be said to be superior to those that were demolished in the course of the execution of the scheme. Besides this in 1937-38, the year from which the betterment tax is proposed to be levied, the new buildings that are now nearing completion and are not yet completed were not even commenced. The sites were auctioned and constructions begun only in 1938-39. The constructions are still incomplete. Even assuming that the constructions are complete before the close of this official year, yet the scheme cannot be said to be completely executed. The provision of a bus stand was one of the objects with which it was taken. This has not been provided as yet. It is probably on providing a stand for the buses, etc. that the scheme can

be said to be complete as it is, then only the council can say that every work contemplated in the scheme has become an established fact, The roads are also as yet not completed, foot-paths and the side drains not properly built. No doubt the major portion of the work has already been completed and every effort is being made to expedite the acquisition of further land. Yet the scheme as a whole is not completely executed. Section 23 of the Town Planning Act contemplates that "Where by the making of a Town Planning Scheme, the Municipal council shall be entitled to recover betterment" Clause (a) of section 24 lays down that the market value of the land on the date of notification should be estimated "Without reference to the improvements contemplated in the scheme". Clause (b) of the same section contemplates that in each of the financial year following that in which the scheme takes effect...the market value.... shall be estimated. From this I come to the conclusion that on has to consider the market value under clause (b) with reference to the improvements contemplated in the scheme. For the reasons set forth above I am inclined to think that improvements contemplated in the scheme are still incomplete.

In the result that I recommend that all the properties held liable to betterment be removed from the register under rule 60 of the Madras Town Planning Rules 1933 as far as the year 1937-38, 1938-39 and 1939-40 are concerned. There may be a doubt as to whether a property once removed from the register can be brought in again and this point also may be examined. I think it can be waived for three years without affecting the subsequent claim under the inherent power vested in the Council. It has also been held by Government in their order No.3172 P.H., dated the 22nd November 1937 on a reference made by the Salem Municipal Council, that the Council was competent to waive the betterment

contribution in particular/ year if in its opinion a levy will cause hardship to the inhabitants of the locality.

p. 9 infra A list showing the Town Survey numbers of the properties and the betterment claim on each for 1937-38 and other particulars is enclosed.

Municipal Office,
Mangalore, 4.10.39

Sd/M.Narayana Shenoy,
Commissioner, M.M.

/True Copy/

Municipal Office,
Mangalore, 21-11-39

Commissioner, M.M.

Compd/

HDU/22/11/39

T.S.No.	Name of Party.	Amount.	
	C.K.Kunhammad Keyi.	255- 0-0.	Revision petition filed
3/A1.	Albert Abreo.	315- 0-0.	-do-
4/1A,1C & 1C.	Mrs. Nagu.	141-12- 0.	-do-
7.	Guruvappa Moily & N.Achary.	17- 4-0.	-do-
8/A1A2.	Guruvappa and	93-12-0.	Prepared to pay on easy instalments.
	Narayana Achary.	41- 4-0.	Revision petition filed
8/A2B	Bhavani Shanker Rao.	16- 8-0.	P a i d.
8/B1 & B3.	Pandit Shiva Rao.	36- 0-0.	Revision petition filed
8/C1	Pandit Shiva Rao & Girija Bai.	15-12-0.	-do-
10	Subramanya Shastri,Mrs.Rama Bai & P.Ranganatn Rao.	178- 8-0.	-do-
30	Manager of Milagres Church & Secretary,Catholic Club.	60- 0-0.	-do-
31	Madhava Naik,Milagres Church & Seraphina Saldanha.	30- 0-0.	-do-
32/A1B	Dulcina Mascerenhas Bai.	2-10-0.	-do-
32/B	C.K.Kunhammad Keyi.	7- 8-0.	-do-
33/A1A	Madnva Naik.	30- 0-0.	-do-
33/A1B	K.Shama Rao.	46- 8-0.	-do-
33/A2.	Dulcina Mascerenhas Bai.	4- 8-0.	-do-
33/B1	--do--	100- 8- 0.	-do-
33/B2	Madhava Naik.	3- 0-0.	-do-
35/B1	H.Madhava Naik & Milagres Church.	20- 4-0.	-do-
199 (Part)	Jarappa & H.Ramachandra.	632- 4-0.	-do-
200 (Part)	Sri Venkatramana God & M.Aithappa-	99- 8-0.	-do-
216/1	M.Shanker Rao.	106-14-0.	-do-
216/2	M.Venktesh Pai.	52- 8-0.	-do-
217/1(Portion)	-do-	162-12-0.	-do-
222	Juavo Francis Deog, George & James Herbert.	36- 0-0.	-do-
223/1	Thyampa.	90- 0-0.	-do-
223/2	George Herbert.	2- 4-0.	-do-

Municipal Office, Mangalore,)
)
Dated the 22nd November 1939.)

Commissioner, M.M.

Extract from the proceedings of the Mangalore Municipal Council, dated the 9th October 1939.

x x x

38. Read Commissioner's note requesting the sanction of the Municipal council under rule 60 of the Town Planning rule to remove from the register the properties in Guliga Hithlu held liable to pay betterment contribution as far as 1937-38, 1938-39 and 1939-40 are concerned for reasons stated therein.

Referred to the Town Planning Committee.

x x x x

Sd/U.P.Mallya,
Presiding Member.

/ True Extract /

Municipal Office, Mangalore,
Dated the 21st November 1939

Commissioner, M.M.

HDU/22/11

Extract from the proceedings of the Town Planning Committee dated the 17th October 1939.

x x x

I. Read Commissioner's note requesting the sanction of the Municipal Council under rule 60 of the Town Planning Rules to remove from the register the properties in Guliga Hithlu held liable to pay betterment contribution as far as 1937-38, 1938-39 and 1939-40 are concerned for reasons stated therein and referred to the Town Planning Committee by the Council.

In view of the reasons stated in the Commissioner's note the committee recommends no betterment ~~contributio~~ tax be levied for the three years mentioned therein.

x x

Sd/- U.P.Mallya,
PRESIDENT.

/ TRUE EXTRACT /

Municipal Office, Mangalore,
Dated the 22nd November 1939.

Commissioner, M.M.

22.11.

Extract from the Proceedings of the Mangalore Municipal Council, dated the 30th October 1939.

****

x x x

47. Read council Resolution No. 38, dated the 9th October 1939 referring to the Town Planning Committee the Commissioner's note requesting the sanction of the municipal council under rule 60 of the Town Planning Rules to remove from the Register the properties in Guliga Hithlu held liable to pay betterment contribution or to waive the betterment levy as far as 1937-38, 1938-39 and 1939-40 are concerned for reasons stated therein and the recommendation of the Town Planning Committee that no Betterment tax be levied for the three years mentioned therein.

The properties in Guliga Hithlu held liable to pay betterment contribution will be removed from the register of properties for the year 1937-38 and will not be assessed for the years 1938-39 and 1939-40.

x x x

Sd/B.Venkatrao Baliga,
Chairman, M.C.

/True Extract/

Municipal Office, Mangalore,
Dated the 21st November 1939

Commissioner, M.M.

Compd/ 22/11

HDU/22/11/39

C.F. 30.

Town Planning **DEPARTMENT.**

Received 16 FEB 1940 *Registered* 6279 19

Subject.

Town Planning - Mangalore Municipality - Guliga Hithlu area Town Planning Scheme - Betterment contribution - Waiver.

ENCLOSURES.
No.
Spare copies

D.T.P. No. 443/40

Station Mount Road, Madras *Dated the* 15th February, 1940.

From (Name) S. Ranganathan, Esq., O.B.E., I.C.S.,
(Designation) Ex-Officio Director of Town Planning,

To The Secretary to the Government of Madras,
Education & Public Health Department.

Sir,

Rp 3-4 auto Ref: From Commissioner, C.10392/D2-38 dated 21-11-39 to Government.

Forwarded.

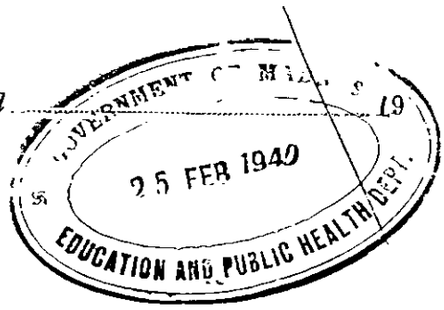
2. There is no objection to waiving of the betterment contribution by the council for a period of three years from 1937-38.

for Ex-Officio Director.

ve. 15.2.

C.F. 30.

DEPARTMENT.



Received ..... 19 . *Registered* 7474 19

Subject.

Town Planning -\ Guliga Hithlu Town Planning Scheme -- Betterment contribution - Waiving - Government Memo No.921 40-1 F (P. H.) dated the 10th February 1 9 4 0.

p. Dante

ENCLOSURES.

No. .....

.....

Spare copies .....

D2/No. 10392/38

Station Mangalore, , *Dated the* 16th February 19 40.

From (Name) Sri M. Narayana Shenoy, B.A., B.L.,

(Designation) Commissioner, Mangalore Municipality.

To The Secretary to the Government of Madras,
~~Through~~
Through Education and Public Health Department.
The Chairman, Municipal Council, Fort St. George, Madras.
Mangalore.

Sir,

I enclose herewith a copy of my letter D2/10392/38 dated the 21st November 1939 and request that Government may be pleased to pass favourable orders in the matter.

Commissioner, M.M.

Forwarded
M Venkataraoballe
Chairman M.C.

HDU/20-Exd.

20/2

Copy of letter Ref:C.No. 10392/D2-38, dated the 21st November 1939, from the Commissioner, Mangalore Municipality, to the Secretary to Government of Madras, Education & Public Health Department, Fort St.George, Madras, through the Chairman, Municipal Council, Mangalore & The Director of Town Planning, Madras.

Town Planning - Mangalore Municipal Council - Guliga Hithlu Town Planning Scheme - Betterment Contribution - Waiving Sanction - Requested.

As provided under Clause 14 of the Guliga Hithlu Town Planning Scheme sanctioned in G.O.No. 2023 P.H., dated the 11th September 1933 read with Rule 59 of the Madras Town Planning Rules betterment was claimed with effect from 1st April 1937 from the owners of properties which were held by the Arbitrator as liable to pay betterment contribution. Almost all the parties on whom notices were served submitted revision petitions requesting not to levy betterment for various reasons. The parties argued their case also before me. I found that the case of some of the parties was really hard as they could not be allowed to take advantage of the improvements in the scheme areas as licence had to be refused for some buildings as there was a proposal to acquire their sites also. This proposal of further acquisition, it is hoped, will be complete by the end of this year. Besides this the execution of the scheme is not over and the roads have not been formed properly on account of the further acquisition. In the result I was satisfied that the levy of betterment contribution would be a great hardship and recommended to the council under Rule 60 of the Town Planning Rules to remove from the register all the properties which were held liable to Betterment Contribution

My note to the Council on the subject, the resolutions of the Town Planning Committee, Council resolution Nos.38 dated the 9th October 1939 and 47 dated the 30th October 1939 are enclosed. It is proposed to levy the Betterment Contribution from 1940-41 by which time the execution of the scheme is expected to be complete.

In G.O.No. 3172, P.W., dated the 22nd November 1937, Government on a reference from the Salem Municipal Council have held that the Council can waive the recovery of the Betterment Contribution. But as this is a case wherein the property held liable to Betterment contribution are to be removed from the register only as far as only 3 years are concerned, I request that Government may be pleased to approve the proposal.

/True Copy/

Municipal Office, Bangalore,
Dated the 16th February 1940.

COMMISSIONER, M.M.

HDU/16/Exd.

Encls:

Commissioner's Note.

Town Planning :- Guliga Hithlu Scheme - Levy of Betterment contribution.

The Arbitrator appointed by the Government for the Guliga Hithlu Town Planning Scheme, in his proceedings R.Dis.3569/34, dated the 25th October 1937, declared that certain properties were liable for betterment contribution. Accordingly notices were issued by my predecessor in office to the owners of these properties which were liable to pay the betterment contribution asking them to present objections if any for the levy of betterment contribution. Of the parties to whom notices were sent only one paid the amount demanded Viz Rs.16-8-0 without filing any objections or protests thereto. Another party has expressed his willingness to pay the amount demanded in easy instalments. The rest of the parties appeared before me either personally or through their legal representatives and pleaded their case.

At the out-set I intend dividing the properties held liable to betterment contribution into two categories. Those properties or lands which the council has decided to acquire for the location of a central bus stand with a taxi and hackney carriage stand attached to it can be brought under the first caregory. These properties though liable to pay betterment contribution and have actually bettered in the sense that the slums have been cleared and the Sanitary conditions of the surroundings improved to a considerable extent, it is doubtful whether they are able to take the fullest advantage of the improved conditions. One of the petitioners puts that "if this claim

of the Municipality is pushed to its logical consequences one can easily realise that the claim becomes absurd". As a test case, as it were, I refer here to Mrs. Nagu Hengsu's application for the construction of four buildings in her plots T.S.Nos. 4/1A and 4/1C for which licenses were refused by the council on the recommendation of the Town Planning Committee. If the owners of the other properties included in this category are also to apply for licenses, I consider that similar order will have to be passed. The owners are not able to make improvements requiring license to the property.

With regard to the remaining properties coming under the second category I may point out that they are not as yet deriving the fullest advantage of the scheme. In holding these plots as liable for betterment the Arbitrator observes that "The more important advantage or benefit that they derive from the present scheme is that these plots will be more sanitary than before, firstly because the filthy and insanitary area staring them in the face has been removed and tidied up". In this connexion it is an admitted fact that the worst insanitation was in T.S.No. 4/1 portions of which are still to be acquired Viz., 4/1A and 4/1C. The buildings that are now in these plots cannot be said to be superior to those that were demolished in the course of the execution of the scheme. Besides this in 1937-38, the year from which the betterment tax is proposed to be levied, the new buildings that are now nearing completion and are not yet completed were not even commenced. The sites were auctioned and constructions begun only in 1938-39. The constructions are still incomplete. Even assuming that the constructions are complete before the close of this official year, yet the scheme cannot be said to be completely executed. The provision of a bus stand was one of the objects with which it was taken. This has

not been provided as yet. It is probably on providing a stand for the buses, etc. that the scheme can be said to be complete as it is, then only the council can say that every work contemplated in the scheme has become an established fact. The roads are also as yet not completed, foot paths and the side drains not properly built. No doubt the major portion of the work has already been completed and every effort is being made to expedite the acquisition of further land. Yet the scheme as a whole is not completely executed. Section 23 of the Town Planning Act contemplates that "Where by the making of a Town Planning scheme... the Municipal Council shall be entitled to recover betterment". Clause (a) of section 24 lays down that the market value of the land on the date of notification should be estimated "Without reference to the improvements contemplated in the scheme". Clause (b) of the same section contemplates that in each of the financial year following that in which the scheme takes effect....the market value.... shall be estimated. From this I come to the conclusion that one has to consider the market value under clause (b) with reference to the improvements contemplated in the scheme. For the reasons set forth above I am inclined to think that improvements contemplated in the scheme are still incomplete.

In the result that I recommend that all the properties held liable to betterment be removed from the register under rule 60 of the Madras Town Planning Rules 1933 as far as the year 1937--38, 1938--39 and 1939--40 are concerned. There may be a doubt as to whether a property once removed from the register can be brought in again and this point also may be examined. I think it can be waived for three years without affecting the subsequent claim under the inherent power vested

in the Council. It has also been ~~paid~~ held by Government in their order No.3172 P.H., dated the 22nd November 1937 on a reference made by the Salem Municipal Council, that the Council was competent to waive the betterment contribution in particular year if in its opinion a levy will cause hardship to the inhabitants of the locality.

A list showing the Town Survey numbers of the properties and the betterment claim on each for 1937-38 and other particulars is enclosed.

4th October 1939.

Sd/M.Narayana Shenoy,
Commissioner,M.M.

/ True Copy /

Municipal Office, Mangalore,
Dated the 16th February 1940.

Commissioner, M.M.

HDU/16-Exd. 20/2

T.S.No.	Name of party.	Amount Rs	A	P	Remarks.
	Messrs:				
2	C. K. Kunhammad Keyi	255	0	0	Revision petition filed.
3A1	Albert Abreo	315	0	0	do
4/1A, 1C and 1C	Mrs. Nagu	141	12	0	do
7	Guruvappa Moily & Narayana Achary.	17	4	0	do
8/A1A2	Guruvappa & Narayana Achary*	783	12	0	Prepared to pay on easy instalment
		41	4	0	Revision petition filed.
8/A2B	Bhavani Shanker Rao	16	8	0	P a i d
8/B1 and B3	Pandit Shiva Rao	36	0	0	Revision petition filed.
8/C1	Pandit Shiva Rao and Girija Bai	15	12	0	do
10	Subramanya Shastry, Mrs. Rama Bai & P. Ranganatha Rao	178	8	0	do
30	Manager of the Milagres Church & Secretary, Catholic Club.	60	0	0	do
31	Madhava Naik, Milagres Church & Sherpina Saldanha.	30	0	0	do
32/A1B	Dulcina Mascarenhas Bai	2	10	0	do
32/B	C.K.Kunhammad Key	7	8	0	do
33/A1A	Madhava Nayal	30	0	0	do
33/A1B	K.Shama Rao	46	8	0	do
33/A2	Dulcina Mascarenhas Bai	4	8	0	do
33/B	do	100	8	0	do
33/B	Madhava Nayak	3	0	0	do
35/B	I. Madhava Nayak and Milagres Church	20	4	0	do
199(Part)	Narappa and H. Ramachandra.	632	4	0	do
200(Part)	Sri Venkatramana God and M. Aithappa	99	8	0	do
216/1	M.Shanker Rao	106	14	0	do
216/2	M.Venkatesh Pai	52	8	0	do
217/1(Portion)	do	162	12	0	do
222	Juavo Francis Deog, George & James Herbert.	36	0	0	do
223/1	Thyampa	90	0	0	do
223	George Herbert	2	4	0	do

Municipal Office, Mangalore,
Dated the 16th February 1940

Commissioner, M.M.

Compd: HDU/20/2-Exd.

| | | |

Town Planning Committee's Res. No. I dt/17.10.39.

Council Resolution No.38, dated the 4th October 1939 referring to the Town Planning Committee the Commissioner's note requesting the sanction of the municipal council under rule 60 of the ~~Municipal Council under rule~~ Town Planning Rules to remove from the register the properties in Guliga Hithlu held liable to pay betterment contribution as far as 1937-38, 1938-39 and 1939--40 are concerned for reasons stated therein.

" In view of the reasons stated in the Commissioner's note the committee recommends no betterment tax be levied for the three years mentioned therein".

x x x

Sd/U.P.Mallya,
President.

/ True Copy /

Municipal Office,
Mangalore, 16-2-40.

Commissioner M M

HDU/20-2-Exd. 21/2

Council Resolution No.36, dated the 4th October 1939 refer,in, to the Town Planning Committee the Commissioner's note requesting the s motion of the municipal council under rule 60 of the Municipal ~~Council~~ Town Planning Rules to remove from the Register the properties in Rules ithin held liable to pay betterment contribution as far as 1937-38, 1938-39 and 1939--40 are concerned for r asons stated therein.

" In view of the reasons stated in the Commissioner's note the committee recommends no betterment tax be levied for the three years mentioned th rein."

x x x

\ Time Duly \

President.

Sd/-I. Aliya,

Chairman,15-2-40

Sd/-S-Rad.

Town Planner,

Municipal Office,

No. 203

Extract from the Proceedings of the Mangalore Municipal Council at its meeting held on 30th October *1939.*

Resolution No. 47.

Read: Council resolution No.38 dated the 9th October 1939 referring to the Town Planning committee the commissioner's note requesting the sanction of the municipal council under rule 60 of the Town Planning Rules to remove from the register the properties in Guliga Hithlu held liable to pay betterment contribution or to waive the betterment ~~any~~ levy as far as 1937-38 1938-39 and 39-40 are concerned for reasons stated therein and the recommendation of the Town Planning Committee that no betterment tax be levied for the three years mentioned therein.

The properties in Guliga Hithlu held liable to pay betterment contribution will be removed from the register of properties for the year 1937-38 and will not be assessed for the years, 1938-39 and 39-40.

Sd/B.Venkatarao Baliga,
Chairman,M.C.

/True Extract/

Municipal Office,)
Mangalore, 16-2-40.)

Commissioner,M.M.

HDU/16-Exd

No. 24

Extract from the Proceedings of the Mangalore Municipal Council at its meeting held on 9th October *19* 39.

Resolution No. 38

Read: Commissioner's note requesting the sanction of the municipal -- council under rule 60 of the Town Planning rules to remove from the register the properties in Guliga Hithlu held liable to pay betterment contribution as far as 1937-38, 38--39 and 39--40 are concerned for reasons stated therein.

Referred to the Town Planning Committee.

x x x

Sd/U.P.Mallya,
Presiding Member.

/ True Extract /

Municipal Office, Mangalore,
Dated the 16th February 1940

Commissioner, M.M.

HDU/20-Exd. 21/2

G.Y. 18.

E.W.H. Deptt.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT :— Town Planning — Mangalore Mty. - Guliga Hithlu area T.P. Scheme — Betterment Contribution - Waiver — Sanction of Govt. not necessary.

READ AGAIN _____, dated _____ 19____

" " _____ 19____

READ *ALSO* :—

p.3 c/f. No. 6&7/40 From the Comm., Mangalore Mty., Ref.No. No. 10392/B2/38 dated 21. 11. 1939.

p.13 c/f. " Endt. of the D. T.P. No. 443/40 " 15. 2. 1940.

" " " " " 19____

Order / Resolution Ms. / Rout. No. _____, P.H. dated _____ 19____

No. 7 to 9 above.

To

The Commr., Mangalore Mty.

Thro the C.M.C.

" D.T.P.

Copy to the Collr. of S. Kanara

The Commr., Mangalore Mty is informed that the sanction of Govt is not necessary for the levy of betterment contribution being waived by the M.C. Municipal Council is competent to waive the recovery of the betterment contribution either wholly or in part, in any particular year

Dy No 8593/40

9/3

Note

26

Note:- Please see the note of the Legal Deptt. on p.18 of Gr. No. 3172 A.H. D/ 22.11.1937 (W). the first portion of and d/ the para 2 of the order on on p. 21 of the same Gr.

also vide A.D.F.'s remarks on p. 13 c/r.

8/3/40.

S/3 Say "Govt have no objn to the Letter Card for ... being issued".

13/3/40.

A revised draft order is subd below for approval.

14/3/40.

18/3/40

S.

19.3.40.

D 1/

G.S. 18.

E & P.H. Deptt.

DRAFT FOR APPROVAL.

86/20/3 Date. Initials.

SUBJECT :— Town Planning — Mangalore Mfg. - Guliga Hithlu area Town- Planning Scheme — Betterment contribution — Waiver of levy for three years - Not objected to.

When received for fair copying ..		
When copied ..		
When examined..		
When signed ..	—	
When despatched.		

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :—

1 3.e.f. No. 6279 From the Commr., Mangalore Mty. RPC No. 10392/D-38/2 dated 21.11.1938.

p 13.e.f " _____ " Endt of the D.T.P. No. 443/40 " 15.2.1940.

" _____ " _____ " _____ " _____ 19____

Order / Resolution Ms. / Rout No. 1161 P.H. dated 20-3- 1940.

In the circumstances, I the Govt have no objection to the Mangalore M.C. waiving the levy of betterment contribution in respect of the Guliga Hithlu area T.P. Scheme, Mangalore for the three years ~~1937-38~~ 1937-38, 1938-39 and 1939-40.

Dated 27.3.1940.

To

The Commr., Mangalore Mty.

Thro the C.Mc.

" D.T.P.

Copy to the Coll. of South Kanara.

14/3/40.

SRK

18.3.40.

14/3/40